

**CABINET MEETING – 19 DECEMBER 2013**

**EXECUTIVE SUMMARY SHEET – PART I**

**Title of Report:**

MINUTES, PART I

**Author(s):**

Head of Law and Governance

**Purpose of Report:**

Presents the minutes of the last meeting held on 4 December 2013 Part I.

**Action Required:**

To confirm the minutes as a correct record.



**At a meeting of the CABINET held in the CIVIC CENTRE (COMMITTEE ROOM NO. 2) on Wednesday 4 December 2013 at 2.00pm.**

**Present:-**

Councillor P. Watson in the Chair

Councillors Blackburn, Kelly, G Miller, P Smith, Speding and H Trueman.

**Part I**

**Minutes**

The minutes of the meeting of the Cabinet held on 27 November 2013 Part I (copy circulated) were submitted.

(For copy report - see original minutes).

1. RESOLVED that the minutes of the last meeting be confirmed and signed as a correct record.

**Receipt of Declarations of Interest**

Cabinet Members were reminded that a dispensation was granted to them for a period of 4 years with effect from 18 September 2012 to enable them to participate (including speaking and voting) in any business of Sunderland City Council relating to consideration of the Members' Allowances Scheme, expenses or any other payment to members.

**Apologies for Absence**

An apology for absence was submitted to the meeting on behalf of Councillor Gofton.

## **Review of Members' Allowances Scheme by the Independent Remuneration Panel**

The Chief Executive and the Executive Director of Commercial and Corporate Services submitted a joint report (copy circulated) to consider the outcome of the Independent Remuneration Panel's Review of Members' Allowances and to make appropriate recommendations to Council.

(For copy report – see original minutes).

Councillor Trueman reported that when the Independent Remuneration Panel undertook its review of the allowances scheme last year, it was agreed that a further review would be carried out in approximately twelve months' time, when the Council's revised executive and committee arrangements had been further embedded. He advised that the Panel had now undertaken that further review and had also considered a number of representations received from members on various aspects of the scheme.

Councillor Trueman drew attention to the Panel's recommendations which were set out in section 7 of its report, which highlighted that the only changes it was recommending were in respect of the award of an allowance for membership of the Fostering Panel and also in respect of a modest increase in the Deputy Mayoral allowance. He added that other than in respect of those changes, it was proposed that the allowances and associated terms and conditions of the Scheme remained unchanged.

Cabinet Members were advised that the Panel recommended that if its proposals were accepted by the Council, the changes be implemented with effect from the date of Council approval and that the scheme as amended would also apply for the year commencing 1 April 2014.

Cabinet Members expressed concern in relation to an article on the review of Members' Allowances and in particular that of the Deputy Mayor which had appeared in the Sunderland Echo newspaper and associated comments which had been made on its website. They commented that the recommendation from the Independent Review Panel was only for a modest increase in view of the responsibilities associated with the role. Cabinet Members compared the proposed allowance to that of other special responsibility allowances spread across all functions and parties to highlight how modest the proposed increase was.

Members referred to the work undertaken by the Panel which had made the recommendations and which was totally independent of the Council.

Consideration having been given to the report, it was:-

2. RESOLVED that the report of the Independent Remuneration Panel which had reviewed the first full year of operation of the Council's Executive and Committee arrangements be noted and it be recommended to Council that:-

- (i) the current Allowances Scheme be amended to include a Special Responsibility Allowance for the lead Member role on the Council's Fostering Panel equivalent to those attached to the Member leads on the Adoption and Permanency Panels (equivalent to 20% of the Allowance attached to a Cabinet Portfolio Holder - £4,184) and the Deputy Mayor's Allowance be increased from £3827 to £5735, to take effect, if approved by the Council, from the date of such approval,
- (ii) the Scheme, as amended, also be applied in the financial year commencing 1 April 2014,
- (iii) other than in respect of the amendments referred to above, the Scheme of Allowances, including the associated terms and conditions, remain unchanged, and
- (iv) in line with the approach previously supported by the Council, the Scheme be reviewed on an annual basis.

### **Regional Growth Fund Round 4 and Local Pinch Point Fund**

The Deputy Chief Executive and the Executive Director of Commercial and Corporate Services submitted a joint report (copy circulated) to seek approval to progress a programme of infrastructure improvements that had secured, subject to final approval, external funding from the Government's Regional Growth Fund (RGF Round 4) and the Department for Transport's Local Pinch Point Fund (LPPF).

(For copy report – see original minutes).

The Chairman highlighted that approval was sought to progress a programme of infrastructure improvements that had received a provisional offer of external funding of £12m from the Regional Growth Fund (RGF 4) and £1.169m from the Department for Transport's Local Pinch Point (LPPF) scheme. He added that the amount of Council resource committed to the scheme was £1.651m.

Cabinet Members were advised that the recent approval of LPPF and the provisional award of RGF 4 presented a unique opportunity for the Council and its partners to take forward an ambitious programme of investments within a limited timeframe. Together the different projects within the programme were forecast to open up and improve the attractiveness of key sites, with the potential to support the creation and safeguarding of over 1,000 jobs, as well as supporting the logistics operations of a number of significant employers in the area.

The Chairman reported that the individual schemes that made up this programme had been developed over a period of time in order to contribute to and help deliver the Council's wider strategic and economic objectives. The Programme comprised the following two 'early win' projects that would contribute significantly to realising the Council's objectives:-

- The Low Carbon Enterprise Zone project which would improve transport infrastructure, opening up Enterprise Zone sites for investment and enabling the further expansion of manufacturing in the area, building on progress with the Enterprise Zones, and
- The Port of Sunderland project which would create new business accommodation and improve existing facilities to enable the Port to host more offshore and subsea engineering activity.

The Chairman explained that the timetable for the delivery of the proposed works was extremely tight with the delivery of the two key projects taking place between December 2013 and March 2015. The grant award from RGF was provisional and subject to final approval from Government, including satisfactory compliance with state aid rules.

Consideration having been given to the report, it was:-

3. RESOLVED that approval be given to:-

- (i) acknowledge the terms of the RGF Final Grant Offer and the requirement to enter into a funding agreement on this basis;
- (ii) entering into the following project agreements on the basis as set out in the report:-
  - (a) With the Highways Agency in relation to the works the Highways Agency are to carry out on the A19 / A1231 junction; and
  - (b) With South Tyneside Metropolitan Borough Council in relation to the works to be carried out on the A19 / A1290 junction.
- (iii) the Deputy Chief Executive and the Executive Director of Commercial and Corporate Services in consultation with the Cabinet Secretary to take all necessary steps to procure and deliver the planned investments subject, where appropriate, to the approval of the relevant grant awards.

### **A New Agreement with the Traffic Penalty Tribunal Joint Committee**

The Deputy Chief Executive submitted a report (copy circulated) to inform of the requirement to enter into a new agreement with the Traffic Penalty Tribunal Joint Committee under the powers associated with The Traffic Management Act 2004 and agree the summary of proposed changes to the existing Joint Committee Arrangements.

(For copy report – see original minutes).

Councillor Blackburn reminded Cabinet Members that the Traffic Penalty Tribunal Joint Committee, also known as PATROL, was established to support the implementation of civil parking enforcement and that all Councils operating civil parking enforcement were members. He highlighted that Manchester City Council had been the host authority however Cheshire East Council had now taken on this role.

Cabinet Members were advised that as a result of this change, a new legal agreement with Councils was required. The agreement had not materially changed, but the opportunity had been taken to make the Committee's decision making more flexible.

Consideration having been given to the report, it was:-

4. RESOLVED that:-

- (i) the Council enter into a new agreement with the Traffic Penalty Tribunal Joint Committee,
- (ii) the proposed changes to the existing Joint Committee arrangements be agreed, and
- (iii) the continued nomination to the Joint Committee, by the Leader, of the City Services Portfolio Holder, Councillor J. Blackburn with Councillor R. Bell as a substitute member.

**Provision of Social Care to Adults with a Learning Disability – Consolidation of Existing Contracts**

The Executive Director People Services submitted a report (copy circulated) to seek approval to consolidate the existing contracts between the Council and Care and Support Sunderland Ltd (CSSL).

(For copy report – see original minutes).

Councillor Miller explained that approval was sought to vary the contract that was in place between the Council and Care and Support Sunderland Ltd for the provision of care and support into five learning disability properties and to consolidate three other contracts that were in place between the Council and Care and Support Sunderland Ltd.

Councillor Miller reminded Cabinet Members that Care and Support Sunderland Ltd was formed in October 2011 with the purpose of managing sixteen Learning Disability small group residential and supported living schemes following the previous provider, Choices Care going into administration. He reported that the Council formed CSSL as a wholly Local Authority Controlled Company, which was the preferred option as opposed to bringing the service back into the Council or going through a procurement process to identify a new independent provider.

Cabinet Members were advised that the Council currently had a number of contracts in place with Care and Support Sunderland Ltd for the provision of care and support to adults with learning disabilities living within a number of residential accommodation and Care and Support Sunderland Ltd supporting living properties. Consolidating the contracts would mean that there would be only one contract in place between the Council and Care and Support Sunderland Ltd for the provision of social care to adults with learning disabilities. For the Council and company this would ensure that service provision was consistent across all of the properties and the expectations and responsibilities of both the Council and company were clear. For the Council, this would ensure that contract management arrangements, which include reviewing the service quality and financial monitoring, would be more robust enabling the Council to have a full and detailed picture of how the company was delivering against one contract. This would also support the future ambition of the Company to adopt a mutual model of ownership at some stage.

Consideration having been given to the report, it was:-

5. RESOLVED that approval be given to vary one of the existing contracts between the Council and Care and Support Sunderland Ltd (CSSL) in order to incorporate all of the other existing contracts between the Council and CSSL.

### **Local Government (Access to Information) (Variation) Order 2006**

At the instance of the Chairman it was: -

6. RESOLVED that in accordance with the Local Government (Access to Information) (Variation) Order 2006 the public be excluded during consideration of the remaining business as it was considered to involve a likely disclosure of information relating to the financial or business affairs of any particular person (including the Authority holding that information) and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings and the public interest in maintaining these exemptions outweigh the public interest in disclosing the information because of the serious consequences for the authority and others if the information should come into the public domain. (Local Government Act 1972, Schedule 12A, Part 1, Paragraph 3 and 5).

(Signed) P WATSON,  
Chairman.

### **Note:-**

The above minutes comprise only those relating to items during which the meeting was open to the public.

Additional minutes in respect of other items are included in Part II.